

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

FS MEDICAL SUPPLIES, LLC,

Plaintiff,

v.

TANNERGAP, INC. *et al.*,

Defendants.

Civil Action No.
3:25-CV-102-RJC-WCM

**PLAINTIFF’S CONSENT MOTION TO FILE
UNREDACTED COMPLAINT UNDER SEAL**

Plaintiff, FS Medical Supplies, LLC (“FSMS”), pursuant to Local Rules 6.1 and 7.1, respectfully moves the Court to maintain an unredacted version of the Complaint (the “Unredacted Complaint”) under seal pending the Court’s resolution of motions to seal filed in *Tanner I*, 3:21-cv-501-RJC-WCM. Contemporaneously with this Motion, FSMS is provisionally filing the Unredacted Complaint under seal. In support of this Motion, FSMS shows:

1. FSMS filed a redacted version of the Complaint in this case (*Tanner III*) on February 11, 2025.
2. At the time FSMS filed the Complaint in this case, a similar proposed Amended Complaint was the subject of two pending motions to seal in *Tanner I* (ECF 237, 256, the “Motions to Seal”).
3. As detailed in the parties’ briefing in *Tanner I*, Defendants moved to permanently seal certain material included in the proposed Amended Complaint. (ECF 256). FSMS argued that there were no grounds to redact any information contained

in the Unredacted Complaint. (ECF 276.)

4. Given the still-pending Motions to Seal, FSMS redacted the portions in dispute when it filed the Complaint in this case.

5. On February 11, 2025, the Court issued an order in *Tanner I*, holding in abeyance the Motions to Seal pending resolution of the issues regarding the Court's subject matter jurisdiction.

6. The Unredacted Complaint should likewise be maintained under seal in this case pending the Court's ruling on the Motions to Seal in *Tanner I*.

7. Regarding this motion to file the Unredacted Complaint under seal, counsel for FSMS conferred with counsel for Defendants, who consent to the motion.

WHEREFORE, FSMS respectfully requests that the Court allow this motion.

This the 19th day of March, 2025.

/s/ Kent A. Yalowitz

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